

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

WILLIAM J. MILLES, JR. and DONALD
J. LUTZKO,

Defendants.

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1:19-CV-714-RP

ORDER

On September 17, 2021, Plaintiff Securities and Exchange Commission (“SEC”) filed a partial motion for summary judgment. (Dkt. 41). Defendants William J. Milles, Jr. (“Milles”) and Donald J. Lutzko’s (“Lutzko”) response to the summary judgment motion is past due. *See* W.D. Tex. Loc. R. CV-7(d). Although the Local Rules empower the Court to grant motions as unopposed when no response is timely filed, *id.*, this Court will not grant Bastrop’s motion to dismiss as unopposed at this time.

IT IS ORDERED that Milles and Lutzko (1) shall show cause in writing on or before **November 18, 2021**, as to why the Court should not grant the SEC’s partial motion for summary judgment as unopposed or, alternatively, (2) shall file a response to the SEC’s partial motion to summary judgment on or before **November 18, 2021**. Failure to do so may result in the Court granting the SEC’s motion as unopposed. *See* W.D. Tex. Loc. R. CV-7(d)(2).

SIGNED November 4, 2021.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE